

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut **REGULATION** of

NAME OF AGENCY

Department of Motor Vehicles

Concerning

SUBJECT MATTER OF REGULATION

Suspension of Operator's License for History of Unsafe Operation

Section 14-137-82 of the Regulations of Connecticut State Agencies is amended and the following is substituted in lieu thereof:

Sec. 14-137-82. Suspension of operator's license for history of unsafe operation

(a) Pursuant to subsection (a) of Section 14-111 of the Connecticut General Statutes, the Commissioner of Motor Vehicles is authorized to suspend or revoke any operator's license issued under the provisions of any statute relating to motor vehicles for any cause that [he] such commissioner deems sufficient. All orders made by the commissioner under Section 14-111 (a) shall find their sanction in conduct which if persisted in by the operator of a motor vehicle, would, in general, evoke a reasonable apprehension of danger resulting to the operator himself and to others lawfully upon the public highways.

(b) Each holder of a motor vehicle operator's license shall be deemed to have engaged in conduct in the manner of operation of a motor vehicle that is unsafe, and that, if continued, will cause an unreasonable danger to such license holder and to others lawfully upon the public highways if such license holder:

(1) Has a driving record on file with the commissioner which contains convictions for three (3) unsafe moving traffic violations as hereinafter defined in subsection (d); and

(2) Is convicted of one (1) such additional unsafe moving traffic violation within two (2) years of the date of conviction for the first such unsafe traffic violation.

(c) Any such license holder who engages in such conduct shall be subject to a suspension of [his] such holder's operator's license for a period of thirty (30) days.

(d) An unsafe moving traffic violation is a conviction of a violation of one of the following Connecticut statutes:

(1) Sec. 14-218a. Traveling unreasonably fast.

(2) Sec. 14-219. Speeding.

[(2)] (3) Sec. 14-223 (a). Disobeying orders of officer.

[(3)] (4) Sec. 14-224 (c). Wagering, speed record.

- [(4) Sec. 14-227a (b). Driving while Impaired.]
- (5) Sec. 14-231. [Failure to keep right when meeting opposing traffic.]
- Vehicles in opposite directions to pass on right.
- (6) Sec. 14-232. Passing.
- (7) Sec. 14-233. Passing on right.
- (8) Sec. 14-234. Determination of no passing zones.
- (9) Sec. 14-235. Vehicle not to be driven on left side of highway on curve or upgrade.
- (10) Sec. 14-237. Driving on divided highways.
- (11) Sec. 14-238. Controlled access highways
- (12) Sec. 14-238a. Illegal entry on limited access highway.
- (13) Sec. 14-239. One way streets. Rotaries or roundabouts.
- [(6)] (14) Sec. 14-240. Failure to drive reasonable distance apart.
- [(7)] (15) Sec. 14-240a. Failure to drive reasonable distance apart, intent to harass.
- (16) Sec. 14-241. Turns.
- (17) Sec. 14-242. Turns restricted.
- (18) Sec. 14-243. Starting or Backing a vehicle.
- (19) Sec. 14-244. Signals.
- (20) Sec. 14-245. Intersection. Right of way.
- (21) Sec. 14-246a. Right of way at junction of highways.
- (22) Sec. 14-247. Right of way at driveway or private road.
- (23) Sec. 14-247a. Right of way yielded by one emerging from alley, driveway, or building.
- (24) Sec. 14-249. Stopping at grade crossings.
- [(8)] (25) Sec. 14-250. Certain motor vehicles to stop at railroad crossing.
- [(9)] (26) Sec. 14-279. Passing stopped school bus.
- [(10)] (27) Sec. 14-281a. Operation of school bus at unreasonable speed.
- (28) Sec. 14-283. Rights of emergency vehicles. Obstruction of.
- (29) Sec. 14-296aa. Use of hand held mobile telephones and mobile electronic devices.
- [(11)] (30) Sec. 14-299. Failure to obey control signals.
- (31) Sec. 14-300. Crosswalks. Pedestrian control signals.
- [(12)] (32) Sec. 14-301. Failure to obey stop sign.
- (33) Sec. 14-303. Designation of one way streets.

(e) Prior to the imposition of such suspension the license holder shall be given an opportunity for a hearing on the proposed suspension of [his] such holder's license, but such hearing shall be limited to the identity of such license holder, and whether such license holder has in fact been convicted of four (4) such serious violations within a two (2) year period.

(f) For the purpose of this regulation, the terms “conviction” or “convicted” shall be as defined in subdivision [(16)] (21) of subsection (a) of Section 14-1 of the

Connecticut General Statutes, and shall include payment of a fine to the [centralized] Centralized [infraction] Infraction [bureau] Bureau in accordance with Section 51-164n of the Connecticut General Statutes.

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.

To amend the enumerated listing of unsafe operation to include several unsafe moving traffic violations in order to better target unsafe drivers for the welfare and safety of the general public. These unsafe moving violations shall be recorded on an operator's driver history which may result in the suspension or revocation of a violator's motor vehicle operator's license.

CERTIFICATION*This certification statement must be completed in full, including items 3 and 4, if they are applicable.*

- 1) I hereby certify that the above (check one) ☒ Regulations ☐ Emergency Regulations
- 2) are (check all that apply) ☐ adopted ☒ amended ☐ repealed by this agency pursuant to the following authority(ies): (complete all that apply)
- a. Connecticut General Statutes section(s) 14-111.
- b. Public Act Number(s) _____.
(Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)
- 3) And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the **Connecticut Law Journal** on January 31, 2012;
(Insert date of notice publication if publication was required by CGS Section 4-168.)
- 4) And that a public hearing regarding the proposed regulations was held on n/a;
(Insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)
- 5) And that said regulations are **EFFECTIVE** (check one, and complete as applicable)
☒ When filed with the Secretary of the State
OR ☐ on (insert date) _____

DATE 3/20/2012	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED Commissioner of Motor Vehicles
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APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended

DATE	SIGNED (Attorney General or AG's designated representative)	OFFICIAL TITLE, DULY AUTHORIZED
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Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.

(For Regulation Review Committee Use ONLY)

- ☐ Approved ☐ Rejected without prejudice
- ☐ Approved with technical corrections ☐ Disapproved in part, (Indicate Section Numbers disapproved only)
- ☐ Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED (Administrator, Legislative Regulation Review Committee)
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Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE	SIGNED (Secretary of the State)	BY
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(For Secretary of the State Use ONLY)

GENERAL INSTRUCTIONS

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for his/her determination of legal sufficiency. (See CGS Section 4-169.)
2. After approval by the Attorney General, the original and one electronic copy (in Word format) of all regulations proposed for adoption, amendment or repeal must be presented to the Legislative Regulation Review Committee for its action. (See CGS Sections 4-168 and 4-170 as amended by Public Act 11-150, Sections 18 and 19.)
3. Each proposed regulation section must include the appropriate regulation section number and a section heading. (See CGS Section 4-172.)
4. New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)
5. Existing language to be deleted must be enclosed in brackets []. (See CGS 4-170(b).)
6. A completely new regulation or a new section of an existing regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)
7. The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)
8. The Certification Statement portion of the form must be completed, including all applicable information regarding *Connecticut Law Journal* notice publication date(s) and public hearing(s). (See more specific instructions below.)
9. Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: <http://www.cga.ct.gov/rr/>.
10. A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at http://www.cga.ct.gov/lco/pdfs/Regulations_Drafting_Manual.pdf.

CERTIFICATION STATEMENT INSTRUCTIONS

(Numbers below correspond to the numbered sections of the statement)

1. Indicate whether the regulation is a regular or an emergency regulation adopted under the provisions of CGS Section 4-168(f).
2.
 - a) Indicate whether the regulations contains newly adopted sections, amendments to existing sections, and/or repeals existing sections. Check all cases that apply.
 - b) Indicate the specific legal authority that authorizes or requires adoption, amendment or repeal of the regulation. If the relevant public act has been codified in the most current biennial edition of the *Connecticut General Statutes*, indicate the relevant statute number(s) instead of the public act number. If the public act has not yet been codified, indicate the relevant public act number.
3. Except for emergency regulations adopted under CGS 4-168(f), and technical amendments to an existing regulation adopted under CGS 4-168(g), an agency must publish notice of its intent to adopt a regulation in the *Connecticut Law Journal*. Enter the date of notice publication.
4. CGS Section 4-168(a)(7) prescribes requirements for the holding of an agency public hearing regarding proposed regulations. Enter the date(s) of the hearing(s) held under that section, if any; also enter the date(s) of any hearing(s) the agency was required to hold under the provisions of any other law.
5. As applicable, enter the effective date of the regulation here, or indicate that it is effective upon filing with the Secretary of the State. Please note the information below.

Regulations are effective upon filing with the Secretary of the State or at a later specified date. See CGS Section 4-172(b) which provides that each regulation is effective upon filing, or, if a later date is required by statute or specified in the regulation, the later date is the effective date. An effective date may not precede the effective date of the public act requiring or permitting the regulation. Emergency regulations are effective immediately upon filing with the Secretary of the State, or at a stated date less than twenty days thereafter.